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 UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 JAYSEAN SUTTON and :
 PEDRO DAVILA, :
 :
 Defendants. :
 :
 - - - - - X

19 CRIM 706

The Grand Jury charges:

1. On or about August 25, 2019, in the Southern District of New York and elsewhere, JAYSEAN SUTTON and PEDRO DAVILA, the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, SUTTON and DAVILA conspired to commit a gunpoint robbery in a jewelry store in Manhattan, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO
(Robbery)

The Grand Jury further charges:

2. On or about August 25, 2019, in the Southern District of New York, JAYSEAN SUTTON and PEDRO DAVILA, the defendants, and others known and unknown, knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and did aid and abet the same, to wit, SUTTON and DAVILA participated in a gunpoint robbery in a jewelry store in Manhattan, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE
(Firearms Offense)

The Grand Jury further charges:

3. On or about August 25, 2019, in the Southern District of New York, JAYSEAN SUTTON and PEDRO DAVILA, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Two of this Indictment, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii) and 2.)

FORFEITURE ALLEGATIONS

4. As a result of committing the offenses alleged in Counts One and Two of the Indictment, JAYSEAN SUTTON and PEDRO DAVILA, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds personally obtained by the defendants traceable to the commission of said offenses.

SUBSTITUTE ASSETS PROVISION

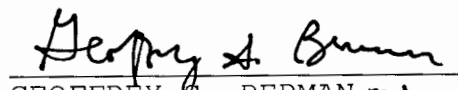
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


GEOFFREY S. BERMAN *ms*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JAYSEAN SUTTON, and
PEDRO DAVILA

Defendants.

SEALED INDICTMENT

19 Cr.

(18 U.S.C. §§ 924(c), 1951, and 2.)

GEOFFREY S. BERMAN
United States Attorney


Foreperson

10/2/19 Filed Indictment under seal

USMJ Fox

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